

**Congress of the United States**  
Washington, DC 20510

April 2, 2015

The Honorable Jeh Johnson  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, N.W.  
Washington, DC 20528

The Honorable Sarah R. Saldaña  
Assistant Secretary  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street S.W.  
Washington, DC 20536

Dear Secretary Johnson and Assistant Secretary Saldaña:

It has come to our attention that Immigration and Customs Enforcement (ICE) plans to release from its Florence, Arizona facility to the community an illegal immigrant with drug-resistant tuberculosis. Please find enclosed a letter from Thomas Schryer, Director of Public Health for Pinal County, Arizona which describes the situation.

This seems to be a change in ICE policy, and one that could put a financial burden on Pinal County. It is our understanding that, if released, Pinal County would be responsible for finishing the treatment of this individual in accordance with Arizona law and standard public health practices. According to the county, the housing and medical attention for the requisite 18-24 months of care is estimated to cost around \$200,000.


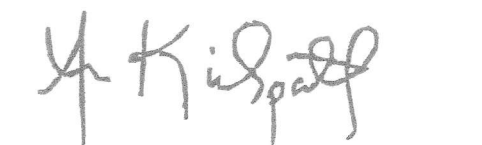
Therefore, we ask that you respond to the following questions, in writing, at the earliest possible date, but no later than April 8, 2015:

1. Why was this individual detained in the first place, and why does ICE believe it no longer has standing to hold the individual, despite holding him/her for the past seven months?
2. Under what laws, policies, executive orders, or memoranda does ICE cite its authority to release an individual with such a diagnosis into the general public?
  - a. Are cases of individuals with an infectious disease considered in a manner differently than those without any such disease?
3. Why is ICE not considering the option of deporting the individual to his/her country of origin?
4. If ICE does release this individual, does it plan to reimburse Pinal County for the medical treatment of the individual?
5. Should this release proceed, will the department honor the county's request to, at a minimum, have 10 days' notice prior to the release of this individual to ensure adequate preparations are arranged?

6. Is ICE required to notify, or have a policy in place to notify, the Center for Disease Control (CDC) when releasing undocumented immigrants with infectious disease into the United States? More specifically, has ICE notified CDC of the release or pending release of an undocumented alien from its custody into the United States in the past 60 days?
7. If ICE is unable to detain the individual, does the CDC have the authority to quarantine?

We are troubled by this situation and we hope that the Department of Homeland Security and ICE considers the public health implications of their decisions. We thank you for your review of these inquiries, and would appreciate a response in a timely matter. Should you have any questions or concerns, please do not hesitate to contact our offices, or the office of Director Schryer.

Sincerely,

  
\_\_\_\_\_  
John McCain  
United States Senator  
\_\_\_\_\_  
Jeff Flake  
United States Senator  
\_\_\_\_\_  
Paul A. Gosar, D.D.S.  
Member of Congress  
\_\_\_\_\_  
Ann Kirkpatrick  
Member of Congress

Leo Lew  
Assistant  
County Manager

Administrative  
Services



Greg Stanley  
County Manager

March 30, 2015

Steven Bloch  
Capitol Strategies

Dear Mr. Bloch,

As you are aware that Pinal County is the home to a major ICE Detention facility in Florence. Recently we were notified that one of the undocumented immigrants who has drug resistant tuberculosis is likely to be released to our community. This individual has been undergoing treatment for the past 7 months in this facility and according to ICE staff they don't believe they will have a legal basis to continue to hold him. I have been the director of public health for Pinal County for the past 11 years and this is the first case where we have had an undocumented immigrant with active TB released to our community so clearly this is a change in policy that has a very real impact to our County.

Tuberculosis is a very dangerous disease that can spread easily, due to the public health threat Arizona Revised Statutes and good public health practice dictates that we provide healthcare to treat tuberculosis for anyone residing in our county (other than those incarcerated) as a result when the ICE facility releases this individual he will be treated at the local tax payers' expense. We anticipate that this case will require housing and medical care for 18 to 24 months and will likely have a \$200,000 impact to the County.

Each year we have approximately 35 cases of active TB that go through the ICE facility and until now they are routinely treated and deported. I am very concerned that the recent change in ICE policy will require my county or another Arizona County to foot the bill for these individuals who should be the responsibility of the federal government. From a public health perspective it is essential that anyone who is suffering from TB be treated so they are not a health threat to others, I request that ICE pay the costs of those who are released from their facility.

If you have any further questions feel free to contact me at 520-866-7326.

Sincerely,

Thomas D. Schryer, MBA  
Director of Public Health